

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JERRY CANKAT,

Plaintiff,

15 CV 4963 (SJ) (MDG)

- against -

FINAL JUDGMENT OF
MANDATORY INJUNCTION

41ST AVENUE RESTAURANT CORP. d/b/a
MONAHAN and FITZGERALD, and BAYSIDE
RE GROUP, LLC

Defendants.

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Plaintiff having moved for a default judgment against defendants in this action (the “Default Motion”); and defendants having failed to timely answer or appear; and the Clerk of Court having entered their default upon the record pursuant to Federal Rule of Civil Procedure 55(a); and the Court, by Memorandum and Order dated December 8, 2016, having granted the Default Motion in part; it is hereby

ORDERED AND ADJUDGED, that Plaintiff’s motion for default judgment is granted to the extent set forth in the Memorandum and Order; and it is further

ORDERED, ADJUDGED, and DECREED, that

1. Within one year, the Restaurant will make the entrance accessible to Plaintiff and others similarly situated;

2. Within one year, the Restaurant is to comply with 36 C.F.R. Part 1191, Appendices B, C and D;
3. Failure to do so will result in civil liability for an independent survey of the premises and fees for enforcement litigation;
4. If within one year, the Restaurant continues to deny Plaintiff and others similarly situated, full and equal enjoyment of its goods and services, Plaintiff may seek leave to reopen the case.

ORDERED AND ADJUDGED, that attorney's fees are awarded here in the amount of \$460 and costs for litigation in the amount of \$550; therefore, the total award for this matter is \$1,010.

SO ORDERED.

Dated: December 12 2016
Brooklyn, NY

s/Sterling Johnson, Jr.
Sterling Johnson, Jr., Senior U.S.D.J.